IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.09.2006

C O R A M

THE HONOURABLE MR. JUSTICE P.SATHASIVAM

Civil Revision Petition NPD NO.1326 of 2006
& MP No.1 of 2006

Sarojini ... Petitioner (Petitioner)

vs.

1.K.B.Saleem

2.The New India Assurance Co. Ltd.,
28, R.G. Street,
Coimbatore. ...Respondents (Respondents)

Civil Revision Petition filed under Article 227 of The Constitution of India as against the fair and decreetal order dated 27.03.2006 made in I.A.No.586 of 2006 in M.C.O.P.No.981 of 2000 on the file of the Presiding Officer, Motor Accident Claims Tribunal, Additional District Judge (Fast Track Court No.V), Coimbatore at Tirupur.

For petitioner ... Mr.S.S.Swaminathan

For Respondents ... Mr.S.Manohar

O R D E R

Mr.S.Manohar takes notice for the contesting second respondent.

2. It is the grievance of the petitioner that as against the deposited amount of Rs.2,70,770/- by the Insurance Company, the Tribunal has granted permission to withdraw only a sum of Rs.70,770/- and the remaining amount of Rs.2,00,000/- was ordered to be invested in the Bank of India, Tiruppur for a period of three years. The learned counsel for the petitioner by pointing out the disability sustained(62%), which is permanent and medical expenses spent, seeks permission of this Court for withdrawal of the entire award amount. The learned counsel appearing for the Insurance Company has stated that they have not filed appeal and there is no objection for the same. Taking note of all these aspects, the petitioner herein viz., Sarojini is permitted to withdraw her entire

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share from the deposited amount of Rs.2,70,770/- without furnishing security. The order of the Tribunal is modified and the Civil Revision Petition is ordered to this extent. No costs. MP.No.1 of 2006 is closed.

Sd/
Asst.Registrar

/true copy/

Sub Asst.Registrar

raa

To

1. The Additional District Judge (Fast Track Court No.V), Coimbatore at Tirupur.

2.The New India Assurance Co. Ltd.,
28, R.G. Street,
Coimbatore.

3.The Record Keeper, V.R. Section, High Court, Madras.

VC (CO)
km/29.9.

CRP NPD NO.1326 of 2006

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